

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

United States of America,)
 Plaintiff,)
)
vs.) Case No. 04-0188-03-CR-W-FJG
)
Render D. Freeman,)
)
 Defendant.)

ORDER

Pending before the Court is the issue of defendant's competency. On December 16, 2005, defendant filed a motion for determination of competency (Doc. #72). Thereafter, on March 29, 2006, Chief Magistrate John T. Maughmer held a hearing regarding defendant's competency at which time the parties stipulated to a report prepared by William S. Logan, M.D. That report concluded that defendant does suffer from a mental disease and a mental defect but that he retains the ability to understand the nature and consequences of the proceedings against him, and to properly assist in his defense.

Chief Magistrate Maughmer issued a report and recommendation (Doc. #82), on March 30, 2006, finding that defendant is competent to understand the nature and consequence of the proceedings against him and to assist properly in his defense. No objections to the report and recommendation were filed.

The Court, after independent review of the record and applicable law, finds that defendant is not currently suffering from a mental disease or defect which would prevent him from understanding the nature and consequences of the proceedings against him or assist in his own defense.

IT IS SO ORDERED.

/s/Fernando J. Gaitan, Jr.
Judge Fernando J. Gaitan, Jr.
United States District Judge

Dated: May 2, 2006
Kansas City, Missouri